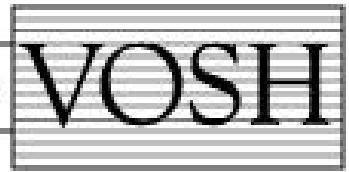


Virginia Occupational Safety and Health



**VOSH PROGRAM DIRECTIVE: 12-114**

**ISSUED: March 1, 2005**

**SUBJECT:** Mechanical Power-Transmission Apparatus, General Industry and Construction Industry, §§1910.219 and 1926.307, respectively; Mechanical Power Presses, §1910.217; Telecommunications, §1910.268; and Hydrogen, §1910.103; Technical Corrections

**A. Purpose.**

This directive transmits to field personnel technical corrections to the above-referenced standards.

*This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.*

**B. Scope.**

This directive applies to all VOSH personnel.

**C. Reference.**

69 FR 31880 (June 8, 2004).

**D. Cancellation.**

Not Applicable.

**E. Action.**

Directors and Managers shall ensure that field personnel are aware of the technical corrections to the five standards referenced in this directive.

**F. Effective Date.**

March 1, 2005.

**G. Expiration Date.**

Not Applicable.

**H. Background.**

**1. Mechanical Power-Transmission Apparatus - §§1910.219 and 1926.307**

VOSH standards §§1910.219 and 1926.307 contain requirements for the construction of guards for all types of mechanical power-transmission apparatus. On November 24, 1978, OSHA revoked certain safety and health standards, including Tables O-12 and O-13 in 29 CFR 1910.219 (43 FR 49726, 49741). These standards were originally adopted by the Board with all other general industry and construction standards as a group when the VOSH program was being established during the 1980's.

OSHA previously revoked these tables, containing specifications for materials used in guarding mechanical power-transmission apparatus, for being overly detailed and too restrictive of the kinds of materials used for guards (43 FR 49740). Further, all references to these two tables were also to be removed; however, OSHA failed to remove two references to Table O-12.

In this current action, OSHA removed the remaining text referring to Table O-12.

**2. Mechanical Power Presses - §1910.217**

On December 3, 1974, OSHA published in the *Federal Register* (39 FR 41841) a final rule on Mechanical Power Presses based on a petition to revoke 29 CFR 1910.217(d)(1) and (d)(2). As part of the final rule, a new paragraph (c)(5) was added which contained typographical errors that changed the meaning of the paragraph and incorrectly implied that a Type-B gate is a presence-sensing device. A Type-B gate is considered a safety device when used with a failsafe control system and a brake monitor.

In this action, OSHA corrected the typographical error in §1910.217(c)(5).

**3. Telecommunications - §1910.268**

OSHA published a final rule in the *Federal Register* (63 FR 33450) on June 18, 1998, removing and revising certain standards that were out of date, duplicative, unnecessary, or inconsistent. At its October 19, 1998 meeting, this change was adopted by the Safety and Health Codes Board.

In that final rule, the Telecommunications Standard, §1910.268, was amended to: "Revise paragraph (f)(1), remove paragraphs (f)(2) through (f)(4) and (f)(7) through (f)(9) and

re-designate paragraphs (f)(5) and (f)(6) as (f)(2) and (f)(3)" (63 FR 33467). However, redesignated paragraph (f)(3) of §1910.268 (former paragraph (f)(6)) continued to include a cross-reference to former paragraph (f)(5).

The 1998 notice should have corrected this cross-reference to refer to redesignated paragraph (f)(2) instead of (f)(5).

In this June 8, 2004 action, OSHA corrected this cross-reference accordingly.

#### **4. Hydrogen - §1910.103**

This standard was originally adopted by the Board with all other general industry and construction standards as a group when the VOSH program was being established during the 1980's.

OSHA standard 29 CFR 1910.103 contained requirements for the installation of gaseous hydrogen systems on consumer premises where the hydrogen supply to the consumer premises originates outside the consumer premises and is delivered by mobile equipment. On October 24, 1978, OSHA revised certain safety and health standards, including Table H-2 in 29 CFR 1910.103 (43 FR 49732). This table contained specifications for the minimum distances used to determine placement of hydrogen systems of indicated capacity located outdoors, in special buildings or in special rooms to any specified outdoor exposure. The table was amended by removing line 13, "public sidewalks \* \* \*," and line 14, "line of adjoining property \* \* \*," because they dealt with public safety and property protection and were not within OSHA's regulatory jurisdiction (43 FR 49732). However, in 29 CFR 1910.103(b)(2)(ii)(c), a cross-reference to the nonexistent Item 14 was not removed.

In this current action, OSHA removed the cross-reference to Item 14 in paragraph (b)(2)(ii)(c), which has clarified the requirements contained in that paragraph.

#### **I. Summary.**

This final rule corrected four specific errors in five OSHA standards. The first correction amended two standards, the General Industry and Construction Industry standards for Mechanical Power-Transmission Apparatus, 1910.219 and 1926.307, respectively, and deleted two references to a nonexistent table in the Mechanical Power-Transmission Apparatus Standard. The second was a correction of typographical errors in the Mechanical Power Presses Standard, 1910.217. The third correction was to a cross-reference in the Telecommunications Standard, 1910.268. The fourth correction referenced a table contained in the Hazardous Materials Standard for Hydrogen, 1910.103.

*C. Ray Davenport*  
Commissioner

Attachment: 69 FR 31880 (June 8, 2004) or refer to:

[http://www.osha.gov/FedReg\\_osha\\_pdf/FED20040608.pdf](http://www.osha.gov/FedReg_osha_pdf/FED20040608.pdf)

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OSHA Regional Administrator, Region III  
OSHA Area Office, Norfolk

**Mechanical Power-Transmission Apparatus, General Industry and Construction Industry, §§1910.219 and 1926.307, respectively; Mechanical Power Presses, §1910.217; Telecommunications, §1910.268; and Hydrogen, §1910.103;  
Technical Corrections**

As adopted by the  
Safety and Health Codes Board

Date: August 3, 2004



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective date: October 15, 2004

16 VAC 25-90-1910.219, Mechanical Power-Transmission Apparatus, General Industry, 1910.219;  
16 VAC 25-175-1926.307, Mechanical Power-Transmission Apparatus, Construction Industry, 1926.307;  
16 VAC 25-90-1910.217, Mechanical Power Presses, General Industry, 1910.217;  
16 VAC 25-90-1910.268, Telecommunications, 1910.268; and  
16 VAC 25-90-1910.103, Hydrogen, 1910.103

When the regulations, as set forth in the technical corrections to the following final rules, Mechanical Power-Transmission Apparatus, General Industry and Construction Industry, 1910.219 and 1926.307, respectively; Mechanical Power Presses, 1910.217; Telecommunications, 1910.268; and Hydrogen, 1910.103, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

June 8, 2004

October 15, 2004